

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

UNITED STATES OF AMERICA

VERSUS

CRIMINAL NO. 1:04cr95WJG-JMR-3

CORY O'NEAL THOMPSON

ORDER GRANTING IN PART AND DENYING IN PART
MOTION FOR SENTENCE REDUCTION

THIS MATTER is before the Court on the motion [76-1] filed by the Federal Public Defenders Office on behalf of Defendant Cory O'Neal Thompson for a sentence reduction pursuant to 18 U.S.C. § 3582(c)(2) based upon recent amendments to the sentencing guidelines applicable to offenses involving cocaine base, and the subsequent decision by the United States Sentencing Commission to make this amendment retroactive, pursuant to United States Sentencing Guideline section 1B1.10 effective March 3, 2008.

The Court has considered the recalculation of Defendant's sentencing as submitted by the United States Probation Office and the record in this matter, as well as the response of the United States, (Ct. R., Doc. 79-1) and finds that Defendant's sentence should be reduced to 93 months, rather than 87 months as requested by Defendant, as Defendant was not originally sentenced to the lowest end of his previous guideline range. It is, therefore,

ORDERED AND ADJUDGED, that the motion [76-1] filed by the Federal Public Defenders Office on behalf of Defendant Cory O'Neal Thompson for sentence reduction be, and is hereby, granted in part and denied in part. It is further,

ORDERED AND ADJUDGED that Defendant's motion for a sentence reduction to 87 months be, and is hereby, denied. It is further,

ORDERED AND ADJUDGED that Defendant's motion for sentence reduction be granted to the extent that his sentence is hereby reduced from 114 months to 93 months. It is

further,

ORDERED AND ADJUDGED that all other terms and provisions of the original judgment, (Ct. R., Doc. 59-1), remain in full force and effect.

SO ORDERED AND ADJUDGED this the 20th day of June, 2008.

Walter J. Sex III

UNITED STATES SENIOR DISTRICT JUDGE